

Open Video System Notice of Intent

Attention:
Media Bureau

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20054**

In the Matter of)	
)	
RCN-BecoCom, LLC)	
)	File No. _____
)	
Notice of Intent to Establish an Open Video System)	

**NOTICE OF INTENT
TO ESTABLISH AN OPEN VIDEO SYSTEM**

RCN-BecoCom, LLC (“RCN-BecoCom”), pursuant to Section 651 of the Telecommunications Act of 1996 and Section 76.1503(b)(1) of the Commission’s Rules, hereby submits its “Notice of Intent,” (“Notice”) to establish an open video system (“OVS”). As required by Section 76.1503(b)(1), RCN-BecoCom respectfully submits the following information:

1. The OVS operator is RCN-BecoCom, LLC, with its principal offices located at 201 University Avenue, Westwood, Massachusetts 02090. The contact person for the operator, Thomas K. Steel, Jr., is located at this same address. Mr. Steel may be reached at (781) 381-2723.

2. RCN-BecoCom’s service area is located in the City of Boston (CUID No. MA0358). The boundaries of RCN-BecoCom’s service area are located within the neighborhoods of Allston-Brighton, Hyde Park, West Roxbury, and Boston Proper. RCN-BecoCom has a principal headend and hub site located at 105 West First Street, South Boston, Massachusetts.

RCN-BecoCom utilizes ancillary hub sites at the following locations:

155 N. Beacon Street, Allston-Brighton, MA 02135

425 Boylston Street, Boston, MA 02116
1224 Hyde Park Avenue, Hyde Park, MA 02136
41 Averton Street, Roslindale, MA 02131

These hub sites are served by and technically integrated with the principal headend. RCN serves the general population within this OVS service area.

3. The open video system will have an anticipated maximum capacity of 330 analog channels available, each consisting of 6-MHz analog capacity. The open video system will also be capable of delivering an anticipated maximum capacity of 678 digital channels.

4. Video Programming Providers (“VPPs”) interested in carriage on RCN-BecoCom’s open video system may obtain additional information about the system by completing the OVS Information Request Form (Attachment 1) and submitting it to:

Thomas K. Steel, Jr.
201 University Avenue
Westwood, MA 02090
(781) 381-2723

Pursuant to 47 C.F.R. § 76.1503(b)(2) of the FCC’s rules, within five business days of RCN-BecoCom’s receipt of a request for information, RCN-BecoCom will provide the VPP with additional information regarding the open video system to enable the VPP to make an enrollment decision. With this information, the VPP also will be provided with additional forms and instructions necessary for carriage on RCN-BecoCom’s open video system. If a VPP decides to seek carriage on RCN-BecoCom’s open video system after receipt of the additional information, the VPP must submit the required forms, a non-refundable application processing fee, and a channel reservation deposit by the end of the enrollment period, or within 10 business days of the receipt of the information, whichever is later.

5. One third of the system's maximum capacity will be set aside for RCN-BecoCom and/or its affiliates. In addition, RCN-BecoCom will utilize approximately eleven (11) channels to carry public programs, educational programs, governmental programs and those "must-carry" stations entitled to demand carriage pursuant to 47 C.F.R. § 76.56 and §76.1506 of the FCC's rules. The remaining channels will be available for interested VPPs. No VPP will be assigned more than the capacity set aside for RCN-BecoCom and its affiliates.

6. The enrollment period for VPPs seeking carriage on RCN-BecoCom's open video system will commence on the date the Commission releases its Public Notice of this Notice of Intent and will expire ninety days after the Public Notice release date. In order to allow for contract finalization, ensure orderly channel allocation and allow timely systems allocation to occur, RCN-BecoCom encourages VPPs to submit their preliminary enrollment requests as soon as possible within this ninety-day period. Allocation of capacity in the event demand exceeds system capacity will occur as described in Attachment 2.

7. Attached is a certification that RCN-BecoCom has complied with all relevant requirements under the FCC's open video system regulations concerning must-carry and retransmission consent (47 C.F.R. §§76.64, 76.1506) (Attachment 3). Also attached is a certificate of service showing that RCN-BecoCom's Notice of Intent has been served on all local

franchising authorities located within RCN-BecoCom's anticipated OVS service area
(Attachment 4).

Respectfully submitted,

RCN-BecoCom, LLC

Kathy L. Cooper
L. Elise Dieterich
SWIDLER BERLIN SHEREFF FRIEDMAN, LLP
3000 K Street, N.W., Suite 300
Washington, D.C. 20007
(202) 424-7500 (Tel)
(202) 424-7645 (Fax)

Dated: May 2, 2003